

### REMARKS

Claims 1-13 are pending. All claims are under examination. No claim is withdrawn. The Examiner is thanked for the allowance of claims 1-5, 12 and 13.

#### Information Disclosure Statement

The comments by the Examiner on page 2 of the last Office Action relating to the IDS filed October 7, 2004, have been noted. Applicants respectfully note that the Examiner has cited to the incorrect section of the MPEP. The Examiner's attention is directed to MPEP §609II ("National Stage Application") and §1893.03(g) ("Information Disclosure Statement in a National Stage Application"). Under the trilateral agreement between the USPTO, EPO and JPO, copies of references cited in an International Search Report should have been forwarded to the USPTO upon entry into the national stage and Applicants need not separately provide them. However, upon review of the "Notice of Acceptance" issued on March 21, 2005 it appears that the USPTO did not receive such copies of the references. As such, for the Examiner's convenience copies of the references are attached hereto. Proper consideration thereof is respectfully requested. In addition, also attached is an English equivalent of DE-3331011-A1 (i.e. US 4,503,194) and an English abstract of JP-8-11172A.

#### Oath

A new oath is being filed concurrently herewith obviating all rejections to the oath on page 2 of the last Office Action.

#### Issues under 35 USC 112

The rejection in the first two paragraphs on page 3 of the last Office Action of selected claims under 35 USC 112 is traversed but has been overcome by the present amendments to claim 6. Support for the amendments to claim 6, can be found in original claim 1. It is believed that claims 5-10, all of which are dependent on claim 6 were rejected only because claim 6 was rejected. Thus claims 5-10 are now free of objection because claim 6 is free of objection.

Prior Art

As the Examiner has correctly recognized the prior art cited but not relied upon neither discloses nor suggests the claimed subject matter.

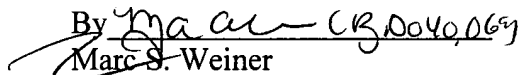
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

If the Examiner has any questions concerning this application, the Examiner is requested to contact David R. Murphy, Reg. No. 22,751 at the telephone number of (703) 205-8000.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: September 21, 2005

Respectfully submitted,

By  CB 0040,069  
Marc S. Weiner

Registration No.: 32,181  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Enclosures: References cited in International Search Report